

In re Application of: Eric Steindorf

Group Art Unit: 3743

Serial No: 10/743,260

Examiner: Nihir B. Patel

Filed: December 22, 2003

Our Client ID: 22827

Confirmation No: 4463

Our Account No: 04-1403

Title: Face Mask Having Baffle Layer For Improved Fluid Resistance

Commissioner for Patents
U.S. Patent and Trademark Office
Post Office Box 1450
Alexandria, VA 22313-1450

RESPONSE

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herein by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

	Claims remaining after amendment		Highest number previously paid for		Present Extra		Additional Fee
Total Effective Claims	27	minus	27	=	0	X \$18 =	\$.00
Independent Claims	3	minus	3	=	0	x \$86 =	\$.00
If amendment enters <u>proper</u> multiple dependent claim(s) into this application for <u>first</u> time, add \$290.00 (per application)							\$.00
Since Official Action set an <u>original</u> due date of _____							
PETITION is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$110; 2 months \$420; 3 months \$950; 4 months \$1480)							\$.00
If Terminal Disclaimer enclosed, add Rule 20(d) Official Fee (\$110.00)							\$.00
SUBTOTAL:							\$.00
If "small entity" verified statement filed <input type="checkbox"/> previously, <input type="checkbox"/> herewith, enter one-half (1/2) of subtotal and <u>subtract</u>							\$.00
TOTAL:							\$.00
Other: _____							\$.00
TOTAL FEE ENCLOSED:							\$.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:

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DORITY & MANNING, ATTORNEYS AT LAW, P.A.By: Neal P. Pierotti Reg. No: 45,716 Date: September 28, 2004Signature: Neal P. Pierotti

I hereby certify that this correspondence and any referenced attachment and fee are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Post Office Box 1450, Alexandria, VA 22313-1450, on September 28, 2004.

Denise Bulkeley

(Typed or printed name of person mailing paper or fee)

BEST AVAILABLE COPY



PATENT

ATTORNEY DOCKET NO: KCX-771 (19263)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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RESPONSE

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The present Response is in response to the Office Action mailed July 26, 2004 in regards to the above-captioned application. Please enter the following Response:

ELECTION OF SPECIES

In the Office Action of July 26, 2004, an Election of Species between those disclosed in Figures 3, 4, 5, 6, 8, 9, 10, 11 and 12 was required. Applicant hereby elects without traverse the disclosed species in Figure 3 for initial prosecution. The species disclosed in Figure 3 has claims 1-5, 10-13, 15-17, 19, 20 and 25-27 readable thereon. Applicant submits that claims 1 and 12 are generic to all 9 species. Applicant reserves the right to prosecute subsequently the non-elected species without prejudice or disclaimer, and to prosecute all the claims in this application if a generic claim is ultimately allowed.